

GARY M. RESTAINO
United States Attorney
District of Arizona

DIMITRA H. SAMPSON
Assistant U.S. Attorney
Arizona State Bar No. 019133
Two Renaissance Square
40 N. Central Ave., Suite 1800
Phoenix, Arizona 85004
Telephone: 602-514-7500
Email: Dimitra.Sampson@usdoj.gov
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

1. Samuel Rappylee Bateman,
2. Naomi Bistline,
3. Donnae Barlow, and
4. Moretta Rose Johnson,
Defendants.

No. CR-22-08092-PCT-DGC

**JOINT TENTATIVE PROPOSED CASE
MANAGEMENT ORDER AND
REQUEST FOR ADDITIONAL STATUS
CONFERENCE**

The Court has granted the parties' Joint Motion for Complex Case Designation. (Docs. 53, 50). The Court has further ordered the parties to submit a joint proposed case management order by February 21, 2023. (Doc. 53). The United States anticipates a superseding indictment within the next 90 days, which would include additional charges, and could include additional defendants. Therefore, the parties have conferred and respectfully request this Court schedule a status conference after the superseding indictment is returned and/or approximately 90 days from now, whichever is sooner, and finalize a joint proposed case management order at that time. Notwithstanding this request by the parties, in compliance with the Court's order, counsel undersigned submit the following tentative Joint Proposed Case Management Order for the Court's consideration.

I. DISCOVERY AND DISCLOSURE DEADLINES

A. Government's Deadlines

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| 1. | Initial Compliance with Rule 16 discovery ¹
(except initial expert disclosures) | 09/29/2023 |
| 2. | Rule 404(b), 413, 414 notification, if any | 10/31/2023 |
| 4. | Initial expert disclosures (simultaneous) | 11/30/2023 |
| 5. | Rebuttal expert disclosures, if any | 12/22/2023 |
| 5. | Production of Jencks material and witness
impeachment material, if not produced sooner ² | 01/16/2024 |

C. Defendant's Deadlines

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|----|--|------------|
| 1. | Close of reciprocal Rule 16 discovery | 10/27/2023 |
| 2. | Initial expert disclosures (simultaneous) | 11/30/2023 |
| 3. | Production of Rule 26.2 material as to
intended witnesses, if any | 01/16/2024 |

II. FILING AND OTHER COURT DEADLINES

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|----|--|------------|
| A. | Disclosure of Preliminary Exhibit
and Witness List (Simultaneous) | 12/29/2023 |
| B. | Substantive Motions Deadline | 01/08/2024 |
| C. | Disclosure of Final Exhibit and Witness List | 01/29/2024 |
| D. | Motions <i>in Limine</i> | 02/05/2024 |

¹ The United States has provided all of the discovery in its possession to date, and will continue to provide discovery timely as it becomes available. This proposed order references the discovery within the government's possession and control as of the date set for compliance. If additional records and information are discovered by, or disclosed to, the government during pretrial preparation or otherwise, pursuant to Rule 16(c), Fed. R. Crim. P., the government shall promptly disclose any additional documentary evidence or materials to the defense as soon as practicable after such disclosure or discovery occurs.

² If the government obtains any additional written *Jencks* material after this date, this *Jencks* material shall be produced promptly to the defense as soon as practicable.

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| E. | Proposed Jury Questionnaire and Screening
for Length of Trial | 12/29/2023 |
| F. | Responses to Motions <i>in Limine</i> | 02/12/2024 |
| G. | Joint Voir Dire, Joint Statement of the Case,
Joint Proposed Jury Instructions, Joint Proposed
Verdict Form | 02/05/2024 |
| H. | Final Pretrial Conference | 02/20/2024 |
| I. | Trial | 03/05/2024 |

III. STATUS CONFERENCES

If the Court grants the parties' request to postpone finalizing a joint case management order until the next status conference, undersigned counsel will submit the Proposed Joint Case Management Order no less than three days prior to the status conference. For all status conferences, the parties will file a joint memorandum detailing the status of the case no less than three days prior to the scheduled status conference.

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|----|------------------------------------|------------|
| A. | First Status Conference (proposed) | 05/30/2023 |
| B. | Second Status Conference | 10/16/2023 |

Respectfully submitted this 21st day of February, 2023.

GARY M. RESTAINO
United States Attorney
District of Arizona

s/Dimitra H. Sampson
DIMITRA H. SAMPSON
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2023, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing a copy to the following CM/ECF registrant: Marc Victor, Jose Saldivar, Sandra Hamilton, and Steve Wallin, *Attorneys for Defendants Bateman, Bistline, Barlow, and Johnson*

s/Keona L. Ross
U.S. Attorney's Office